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Worksheet
Determination of NEPA Adequacy (DNA)
U.S. Department of the Interior
Bureau of Land Management

Office: Burns District Office

Tracking Number (DNA #): DOI-BLM-OR-B050-2012-0029-DNA

Case File/Project Number:

Proposed Action Title/Type: Selection of Sub-alternative IIb - Bartlett Mountain Fire ESR EA
Location/Legal Description: Three Rivers RA, Bartlett Mountain Fire ESR area in the northeast part of Harney County south of Hwy 20.

Applicant (if any):

A. Description of the Proposed Action and any applicable mitigation measures

The proposed action is to treat medusahead rye within and adjacent to the Bartlett Mountain fire area with the herbicide Imazapic (Plateau) as described under Sub-alternative IIb of the 2007 Bartlett Mountain Fire Emergency Stabilization and Rehabilitation (ESR) Environmental Assessment (EA) (EA-OR-07-025-071), pages 11- 13, using both aerial and ground application equipment. The rate of application would be 6 ounces per acre. Aerial application would be at a rate of 10-gallon mix/acre and ground applications would be between 20- and 50-gallon mix/acre, depending on the type of equipment used. Up to 34,000 acres of medusahead-infested rangelands would be chemically treated, primarily by aerial application, but also using pick-up truck mounted sprayers or all-terrain vehicle mounted sprayers.

The following fire rehabilitation and stabilization activities were included in the original decision and have already been completed:

Stabilization and Rehabilitation Activities

- Ground and Aerial Seeding
- Invasive Weed Control
- Invasive Weed Detection
- Fence Replacement
- Protection Fencing
- Sediment Traps
- Riparian Planting
- Road Repair
- Cultural Site Assessment
- Cultural Site Protection
- Catchment Basin Cleanout

Project Design Elements of this Sub-alternative

1. Herbicide use would not be utilized within Leiberg's clover populations.
2. No actions involving herbicide use would be allowed in Malheur Prince's plume populations unless the Field Manager determines that such use would not trend the species toward listing under the Endangered Species Act (ESA).
3. No actions would be performed that would trend any Special Status Species toward listing under the ESA.
4. Herbicide use would conform to federally approved manufacturers' herbicide labels as well as the streamside, wetland, and riparian habitat herbicide restrictions.
5. All appropriate Standard Operating Procedures and mitigation measures contained in Appendix 2 of the Vegetation Treatments Using Herbicides on BLM Lands in Oregon Record Of Decision, October 2007, (Volume 2 – Appendices; pp 457-468) would be utilized as a part of the project design.
6. The Burns Paiute Tribal Council will be notified in advance of any herbicide spraying so that individuals gathering roots in the area where the spraying had occurred would be aware of the weed treatments scheduled to occur in the area.

B. Land Use Plan (LUP) Conformance

<u>LUP Name*</u>	<u>Date Approved</u>
Three Rivers Resource Management Plan	7/30/1992

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions):

V 1.6 (p. 2-53): Apply approved weed control methods including manual, biological, and chemical control methods as identified in the Weed Control EIS and Burns District Weed Control EA in an integrated pest management program to prevent the invasion of noxious weeds into areas presently free of such weeds and to improve the ecological status of sites which have been invaded by weeds.

WL 7 (p. 2-74): Restore, maintain, or enhance the diversity of plant communities and wildlife habitat in abundances and distributions which prevent the loss of specific native plant community types or indigenous wildlife species habitat within the RA.

SSS 2 (p. 2-57): Maintain, restore, or enhance the habitat of candidate, State listed and other sensitive species to maintain populations at a level which will avoid endangering the species and the need to list the species by either State or Federal governments.

V 1 (p. 2-51): Maintain, restore, or enhance the diversity of plant communities and plant species in abundance and distributions, which prevent the loss of specific native plant community types or indigenous plant species within the RA.

Burns Interagency Fire Zone Fire Management Plan (BIFZ FMP) 2005

The proposed action is in conformance with the BIFZ FMP because it is specifically provided for in the following decision:

(p. 114) – “Emergency stabilization and rehabilitation process for fires on the Burns District of the BLM will follow current DOI and BLM guidance found in IM-ID-2004-008 ESR changes and the BLM Emergency Fire Rehabilitation Handbook, H-1742-1 (USDI 2002).”

C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.

- 1) Proposed Three Rivers Resource Management Plan and FEIS, September 1991
- 2) Burns District Noxious Weed Program Management EA/DR OR-020-98-05
- 3) Vegetation Treatments on BLM Lands in 17 Western States FEIS (June 2007)
- 4) Vegetation Treatments Using Herbicides on BLM Lands in Oregon FEIS (July 2010)
- 5) Order Amending Herbicide Injunction (Case No. 83-cv-6272-AA US District Court) (3/01/2011)
- 6) Instruction Memorandum No. 2012-043, Greater Sage-grouse Interim Management Policies and Procedures (2011)

List by name and date other documentation relevant to the proposed action (e.g., biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report).

- River Allotment Evaluation (2004);
- Stinkingwater Allotment Evaluation (2007);
- Texaco Basin Allotment Evaluation (2004); and Standards and Guides Assessment (2008);
- Upton Mountain Allotment Evaluation (2004);
- Upper Malheur Water Quality Management Plan (2007)

D. NEPA Adequacy Criteria

1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

Sub-alternative Iib was analyzed in detail in the Bartlett Mountain Fire ESR EA. Treatment would occur in exactly the same geographic area. Sub-alternative Iib was not selected because at the time of analysis (2007), Burns District was included in a 1984 court-ordered injunction

prohibiting the use of the herbicide Imazapic (Plateau) from being used on BLM-administered lands in Oregon. The injunction was lifted March 1, 2011 allowing Burns District to revisit the Bartlett Mountain Fire ESR EA and consider Sub-alternative Iib. The only difference between the alternative originally selected (Proposed Action) and Sub-alternative Iib is the use of Imazapic for treatment of Medusahead.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource values?

The Bartlett Mountain Fire ESR EA analyzed three alternatives including an alternative for the use of Imazapic (Plateau) for treatment of noxious weeds, no use of Plateau, and a No Action Alternative. The FEIS for Vegetation Treatments Using Herbicides on BLM lands in 17 Western States analyzed five alternatives (No Action, Expand Herbicide Use and Allow for Use of New Herbicides, No Use of Herbicides, No Aerial Application of Herbicides, and No Use of Sulfonylurea and other Acetolactate Synthase-inhibiting Active Ingredients) and the FEIS Vegetation Treatments Using Herbicides on BLM Lands in Oregon also analyzed five (Non-herbicide Methods, Use 4 Herbicides to Treat Noxious Weeds Only, Use 13 Herbicides to Treat Invasive Weeds and Control Pests and Diseases, Use 16 Herbicides to Treat Invasive Weeds plus Limited Additional Uses, and Use 18 Herbicides to Treat Invasive Weeds and Meet Other Vegetation Management Objectives).

The environmental issues and concerns remain the same as those analyzed in the 2007 EA.

Environmental issues and concerns in this area include:

- Spread of known noxious weed (medusahead) populations into and from the burned area
- Impacts of potential flood and debris flow to Warm Springs Reservoir
- Potential flood and debris flows on Warm Springs Road and other heavily used adjacent roads
- Potential flood flows in Malheur River, Stinkingwater Creek, and Little Stinkingwater Creek
- Potential impacts to socioeconomics including livestock forage loss and temporary nonuse for grazing.
- Impacts to Malheur prince's plume (*Stanleya confertiflora*) and Leiberg's clover (*Trifolium leibergii*)
- Impacts to bighorn sheep habitat
- Impacts to range improvements including fence lines and water developments
- Loss of greater sage-grouse habitat, a Special Status species
- Impacts to big game species including mule deer, bighorn sheep, and antelope
- Impacts to known historic and archaeological resources

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?

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The analysis in the Bartlett Mountain Fire ESR EA is still valid in addition to the Vegetation Treatments on BLM Lands in 17 Western States FEIS (June 2007) and Vegetation Treatments Using Herbicides on BLM Lands in Oregon FEIS (July 2010).

Rangeland Evaluations were completed on four allotments in the project area. These allotments are River, Texaco Basin, Upton Mountain, and Stinkingwater. Each of these allotments are being impacted by Medusahead expansion and the need for treatment, which was described in the allotment evaluations and in the analysis of Sub-alternative IIb, is warranted.

No species in the area have been listed as threatened or endangered since the 2007 EA. Greater sage-grouse was warranted, but precluded from listing under the ESA in 2010; however, the new finding did not change BLM's management responsibilities of sage-grouse as a BLM special status species and effects to greater sage-grouse were analyzed in the original EA and the 2007 and 2010 FEISs analyzed affects to special status species including sage-grouse and their habitat. The U.S. Fish and Wildlife Service's 12-month finding states, "Sagebrush habitats are becoming increasingly degraded and fragmented due to the impacts of multiple threats, including . . . wildfire and the change in wildfire frequency, incursion of invasive plants. . ." In addition, guidance (IM 2012-043) instructs BLM to prioritize re-vegetation projects to "... (5) promote plant resiliency; (6) limit expansion or dominance of invasive species; and (7) reestablish native species." Therefore, the new information does not substantially change the analysis of the new proposed action and the analysis remains appropriate.

Malheur prince's plume (*Stanleya confertiflora*) and Leiberg's clover (*Trifolium leibergii*) remain Federal Species of Concern. We anticipate the selection of Sub-alternative IIb will enhance the proliferation and habitat requirements for all these Species of Concern.

In 2007, BLM received information for a citizen proposed Wilderness Study Area (WSA) called "Middle River", indicating they had found wilderness character present within the area covered by this analysis. Burns BLM evaluated this area which is encompassed in two Units identified by BLM as the River Unit and the Upton Mountain Unit for Wilderness Characteristics. The results of that evaluation are as follows: The ID-team found developments and treatments were dispersed throughout Upton Mountain Unit enough the imprint of humans is still substantially unnoticeable and that the unit is in a natural condition. While solitude may occasionally be found, due to the presence of some rolling hills on the slopes of Upton Mountain, this is not outstanding due to the overall lack of topographic and vegetative screening, and the small size of the unit. While recreation opportunities may be present, their diversity and quality are not unlike that which can be found on public lands in much of eastern Oregon in the Northern Great Basin region. After reviewing the information submitted, the ID-team found the recreation opportunities present are not unique and do not present characteristics either individually or collectively that would result in these recreation activities being outstanding within the unit. The BLM concluded Upton Mountain Unit did not meet the characteristics to be considered for Wilderness. The River Unit decision is still pending based on findings on the portions of the area adjacent to and analyzed by the Vale District. Even if wilderness characteristics are present, the actions proposed in Sub-alternative IIb will not affect Wilderness Characteristics because no

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ground disturbing activities will occur. The actions proposed will enhance ecological processes and other values that are affected by those processes.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

The proposed action and the location are the same, and the effects are expected to be the same as those analyzed in the original EA. The Oregon FEIS analyzed cumulative effects including changes in herbicide use on adjacent non-BLM lands, Oregon effects of insect spraying, pesticide use reporting system, the Forest Service's invasive plant program and previous herbicide use. The National FEIS considered past effects and their accumulation, future effects and their accumulation, and contribution of alternatives by resource. Cumulatively, private landowners on adjacent lands have been and are continuing to treat Medusahead. Our actions will enhance and add to the longevity of treatment results on BLM and private lands in this area. Treating medusahead with Plateau would have moderate risk to no risk to the health of upland vegetation (Vegetation Treatments Using Herbicides on BLM Lands in 17 Western States FEIS June 2007 [National Veg. FEIS] pp. 4-49 and 53). Applications of 6oz/acre would be below the maximum rate authorized to treat infested sites (Vegetation Treatments Using Herbicides on BLM Lands in Oregon FEIS July 2010 [Oregon Veg. FEIS] C-9).

Risk to the health of terrestrial and Special Status plants at this application rate from direct spray would have moderate risk, offsite drift low risk (Special Status spp.) and no risk (terrestrial), surface runoff no risk, and wind erosion no risk. However, it has been observed that fall applications with 6oz/acre Plateau would further reduce the risk from moderate to low from direct spray on non-target plant species because these plants are dormant (Davies 2010; Davies and Sheley 2011). Plateau would reduce medusahead and allow existing native, desirable nonnative plants or seeded areas the opportunity to compete for available resources such as water, nitrogen and other nutrients, and reestablish the site once occupied by this invasive noxious weed.

5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

Although the Bartlett Mountain Fire ESR EA did not go out for public review due to the nature of the action (emergency), the Vegetation Treatments on BLM Lands in 17 Western States FEIS and the Vegetation Treatments Using Herbicides on BLM Lands in Oregon FEIS had extensive public involvement. In addition, on-going efforts to inform the public about medusahead rye and the use of Imazapic (Plateau) are occurring and most recently through the scoping process for a new vegetation management EA in Burns District tiering to the National and Oregon FEISs.

A presentation was given to the Burns Paiute Tribe regarding our interest in treating the Medusahead in this area because it is a known root-gathering area for the Tribe. We agreed to notify them when any herbicide treatments in the area occur.

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In August 2007 a public meeting was held to discuss the impacts of the 2007 wildfires where medusahead was present. Present were landowners/permittees affected by the Bartlett Mountain Wildfire as well as Congressman Greg Walden and his staff, and Harney County Court.

This proposal (revisiting the Bartlett Mountain Wildfire ESR EA and selecting Sub-alternative IIb) was presented to the Harney County Cooperative Weed management Area (CWMA) and the Harney County Weed Board on the 2nd and 6th of March, 2012, respectively. It was met with a high level of approval from those groups.

E. Interdisciplinary Analysis: Identify those team members conducting or participating in the NEPA analysis and preparation of this worksheet.

Specialist Signature and Date: Lesley Richman 6/26/12
Lesley Richman, District Weed Coordinator

Specialist Signature and Date: Jason Brewer 6/26/12
Jason Brewer, Wildlife Biologist

Specialist Signature and Date: Scott Thomas 6/27/12
Scott Thomas, District Archaeologist

Specialist Signature and Date: Caryn Meinicke 6/28/12
Caryn Meinicke, Botanist

Specialist Signature and Date: Eric Haakenson 6/28/12
Eric Haakenson, Recreation and Wilderness

Specialist Signature and Date: Lindsay Davies/Lisa Grant 6/27/2012
for Fisheries/Water Quality

Specialist Signature and Date: Rhonda Karges 6/28/12
Rhonda Karges, Planning and Environmental Coordinator

Note: Refer to the EA/EIS for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.

F. Others Consulted: Identify other individuals, agencies or entities that were consulted with as part of completing the NEPA analysis.

Harney County Weed Control, Natural Resources Conservation Service, Harney County Watershed Council, Oregon State University Extension, Oregon Department of Fish and Wildlife.

Conclusion (If you found that one or more of these criteria is not met, you will not be able to check this box.)

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Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.

Title and Signature of Project Lead:

Lesley Richman

6/26/12

Title and Signature of NEPA Coordinator:

Angela Lange

6/26/12

Title and Signature of the Responsible Official:

Richard Rye

Date:

7/2/12

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

Decision: It is my decision to implement the Proposed Action with Project Design Elements as described above.

Rationale for the Decision:

Given the investment the Burns BLM currently has in the area burned by Bartlett Mountain Wildfire including suppression costs, seeding, and structural replacements, selection of this Proposed Action will promote effective management of medusahead, which will enhance the long-term ecological integrity of this area, and provide for the habitat requirements for wildlife (including greater sage-grouse) and priority botanical species, as well as contribute to productive forage for livestock. Additionally, it will enhance the investment in medusahead treatments on adjacent private lands and prevent further contamination of these treated lands. With the obligation that BLM has to manage resources for the needs of a wide variety of purposes, as well as a legal requirement to prevent the spread of noxious weeds, the No Action alternative does not allow us to meet these obligations and is not appropriate in this situation.

Appeal Procedures:

This decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with regulations contained in 43 Code of Federal Regulations (CFR), Part 4 and Form 1842-1. If an appeal is filed, your notice of appeal should be mailed to the Burns District Office, 28910 Highway 20 West, Hines, Oregon 97738, within 30 days of receipt of the decision. The appellant has the burden of showing the decision appealed is in error.

A copy of the appeal, statement of reasons, and all other supporting documents should also be sent to the Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 805 SW Broadway, Suite 600, Portland, OR 97205. If the notice of appeal did not include a statement

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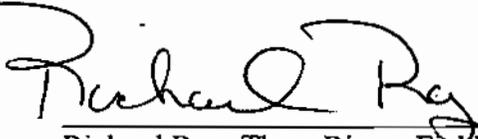
of reasons for the appeal, it must be sent to the Interior Board of Land Appeals, Office of Hearings and Appeals, 801 North Quincy Street, Arlington, Virginia 22203. It is suggested appeals be sent certified mail, return receipt requested.

Request for Stay

Should you wish to file a motion for stay pending the outcome of an appeal of this decision, you must show sufficient justification based on the following standards under 43 CFR 4.21:

- The relative harm to the parties if the stay is granted or denied.
- The likelihood of the appellant's success on the merits.
- The likelihood of immediate and irreparable harm if the stay is not granted.
- Whether or not the public interest favors granting the stay.

As noted above, the motion for stay must be filed in the office of the authorized officer.



Richard Roy, Three Rivers Field Manager

7/2/12

Date

6/26/12

**UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Burns District Office
Three Rivers Resource Area
Finding of No Significant Impact**

**Bartlett Mountain Fire
EMERGENCY STABILIZATION AND REHABILITATION PLAN
FINDING OF NO SIGNIFICANT IMPACT
EA-OR-07-025-071**

INTRODUCTION

The Bartlett Mountain Fire, comprised initially of several smaller incidents, burned approximately 27,950 acres of Bureau of Land Management (BLM)-managed public lands, approximately 726 acres of Bureau of Reclamation-managed lands, approximately 431 acres of State of Oregon-managed lands, and approximately 3,204 acres of private land. The fires were started by lightning on July 6, 2007. These fires were located in Harney County, Oregon, within the Burns District BLM and 268 acres of Vale District BLM-managed public lands.

SUMMARY OF THE PROPOSED ACTION

This proposed action is to treat medusahead rye within and adjacent to the Bartlett Mountain fire area with the herbicide Imazapic (Plateau) as described under Sub-alternative Iib of the 2007 Bartlett Mountain Fire Emergency Stabilization and Rehabilitation (ESR) Environmental Assessment (EA), pages 11- 13, using both aerial and ground application equipment. Sub-alternative Iib was analyzed in detail in the Bartlett Mountain Fire ESA EA. Treatment would occur in exactly the same geographic area. Sub-alternative Iib was not selected because at the time the EA was analyzed (2007), Burns District was included in a 1984 court-ordered injunction prohibiting the use of the herbicide Imazapic (Plateau) from being used on BLM-administered lands in Oregon. The injunction was lifted March 1, 2011 which allows Burns District to revisit the Bartlett Mountain Fire ESR EA and consider Sub-alternative Iib. The only difference between the alternative originally selected and Sub-alternative Iib is the use of Imazapic for treatment of Medusahead.

The following fire rehabilitation and stabilization activities were included in the original decision and have already been completed:

Stabilization and Rehabilitation Activities

- Ground and Aerial Seeding
- Invasive Weed Control
- Invasive Weed Detection
- Fence Replacement
- Protection Fencing

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- Sediment Traps
- Riparian Planting
- Road Repair
- Cultural Site Assessment
- Cultural Site Protection
- Catchment Basin Cleanout

Project Design Elements of Sub-alternative IIb

1. Herbicide use would not be utilized within Leiberg's clover populations.
2. No actions involving herbicide use would be allowed in Malheur Prince's plume populations unless the Field Manager determines that such use would not trend the species toward listing under the Endangered Species Act (ESA).
3. No actions would be performed that would trend any Special Status Species toward listing under the ESA.
4. Herbicide use would conform to federally approved manufacturers' herbicide labels as well as the streamside, wetland, and riparian habitat herbicide restrictions.
5. All appropriate Standard Operating Procedures and mitigation measures contained in Appendix 2 of the Vegetation Treatments Using Herbicides on BLM Lands in Oregon Record Of Decision, October 2007, (Volume 2 – Appendices; pp 457-468) would be utilized as a part of the project design.
6. The Burns Paiute Tribal Council will be notified in advance of any herbicide spraying so that individuals gathering roots in the area where the spraying had occurred would be aware of the weed treatments scheduled to occur in the area.

FINDING OF NO SIGNIFICANT IMPACT

Consideration of the Council on Environmental Quality (CEQ) criteria for significance (40 CFR 1508.27), both with regard to context and intensity of impacts, is described below:

Context

Sub-alternative IIb would occur in the Bartlett Mountain Fire ESR area in the northeast part of Harney County and would have local impacts on affected interests, lands, and resources similar to and within the scope of those described and considered in the Three Rivers Proposed Resource Management Plan (PRMP) and Final Environmental Impact Statement (FEIS) (1991), Vegetation Treatments on BLM Lands in 17 Western States FEIS (National EIS) (June 2007), and Vegetation Treatments Using Herbicides on BLM Lands in Oregon FEIS (Oregon FEIS) (July 2010) and the Burns District Noxious Weed Program Management EA/Decision Record (DR) OR-020-98-05. There would be no substantial broad societal or regional impacts not previously considered in the Three Rivers PRMP/FEIS, the Oregon FEIS and the National FEIS. The actions described represent anticipated program adjustments complying with the Three Rivers Resource Management Plan/Record of Decision (RMP/ROD) (1992), the National and Oregon RODs (2010 and 2007) and implementing weed management programs within the scope and context of these documents.

Intensity

The CEQ's ten considerations for evaluating intensity (severity of effect):

1. The EA considered potential beneficial and adverse effects. Project Design Features were incorporated to reduce impacts. None of the effects are beyond the range of effects analyzed in the Three Rivers PRMP/ROD to which the EA is tiered or the Oregon and National FEISs.

Summary of effects from the EA:

Soils/Biological Soil Crusts: Biological soil crusts would potentially benefit as the native plant community would be enhanced providing natural interspaces and shrub cover microclimates for crust communities to establish. Soil loss is expected to decrease.

Water Quality, Riparian and Wetlands: Spraying Plateau would benefit riparian systems by encouraging the establishment and proliferation of desirable plant species. Healthy upland plant communities would reduce erosion and offsite movement of soils, minimizing impacts to riparian systems and water quality.

Vegetation: Success of seeding treatments would be increased by the application of herbicides. Plateau would suppress medusahead rye and allow seeded species to become established across the seeded area regardless of the presence of shrubs prior to the fire.

Noxious Weeds: With proper treatment of medusahead, the area is much more likely to recover into a functional system, even with a "livable level" of medusahead.

Range: Seeding and spraying Imazapic to control medusahead would (1) be the most appropriate method for stabilization of soils in the burned area, and (2) maintain good range condition, forage quality, and carrying capacity for all demands within the burned area. Spraying the most appropriate herbicide to prevent the germination of medusahead from seeds in the soil would also slow the spread of this species and allow more desirable species a head start at reestablishment of unoccupied areas.

Wildlife: The chances for seeding success would be much higher with application of herbicide to control medusahead facilitating the return of sagebrush obligate species to the area.

Migratory Birds: Overall, sub-alternative IIb would expedite the recovery of the burned area allowing migratory bird species associated with shrub-steppe communities to reestablish the burned area faster. The chances of seeding success would be much higher with application of herbicide to control medusahead.

Special Status Species: Flora - These areas would be avoided. Fauna -- Seeding combined with the application of herbicide to control medusahead would limit the establishment of invasive plant species that would decrease the habitat value to greater sage-grouse and bighorn sheep (no longer a SSS). Overall, sub-alternative IIB should expedite and help the area to recover to year-round sage-grouse habitat and suitable bighorn sheep habitat. The chances of seeding success would be much higher with application of herbicides to control medusahead. Fish -- Riparian buffers and project design features would minimize affects to fish species.

Recreation: Recreational activities would be restored in the long term with the return of native plant and animal species that contribute to recreational activities associated with wildlife and scenic resources.

Socioeconomics: See range and recreation effects described above.

Cultural Heritage and Paleontology: Reestablishing cover over archaeological deposits could reduce site impacts associated with erosion and increased visibility to the public.

American Indian Traditional Practices: Tribal human health and safety concerns relating to exposure to chemical herbicides would be avoided through consultation with the Burns Paiute Tribe.

2. *Degree to which the Proposed Action affects public health and safety.* No aspect of Sub-alternative IIB would have an effect on public health and safety. Affects to public health and safety were analyzed in the Oregon and National FEISs. New herbicides proposed for use pose few or no risks to workers or the public (National FEIS, page ES-6).
3. *Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.* Unique characteristics for the area encompassed in the Bartlett Mountain Wildfire area include the Biscuitroot Area of Critical Environmental Concern used by the Burns Paiute Tribe. Consultation with the Burns Paiute Tribe was conducted initially and annual updates regarding weed treatments in this area do and will continue to occur.
4. *The degree to which effects on the quality of the human environment are likely to be highly controversial.* Controversy in this context means disagreement about the nature of the effects, not expressions of opposition to the proposed action or preference among the alternatives. No unique or appreciable scientific controversy has been identified regarding the effects of Sub-Alternative IIB.
5. *Degree to which possible effects on the human environment are highly uncertain or involve unique or unknown risks.* The analysis in the EA has not shown there would be any unique or unknown risks to the human environment nor were any identified in the Three Rivers RMP/FEIS to which this proposal is tiered. The National FEIS identified all unavoidable adverse effects primarily associated with the use of herbicides and fire; and the Oregon FEIS conducted an individual risk assessment

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6. *Degree to which the action may establish a precedent for future actions with significant impacts or represents a decision in principle about a future consideration.* This project neither establishes a precedent nor represents a decision in principle about future actions.
7. *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.* The environmental analysis did not reveal any cumulative effects beyond those already analyzed in the Three Rivers PRMP/FEIS which encompasses the area impacted by the Bartlett Mountain Wildfire. The Oregon FEIS analyzed cumulative effects including changes in herbicide use on adjacent non-BLM lands, Oregon effects of insect spraying, pesticide use reporting system, the Forest Service's invasive plant program and previous herbicide use. The National FEIS considered past effects and their accumulation, future effects and their accumulation, and contribution of alternatives by resource.
8. *Degree to which the action may adversely affect districts, sites, highways, structures or objects listed in or eligible for listing in the National Register of Historic Places.* There are no features within the project area listed or eligible for listing in the National Register of Historic Places that would be impacted by this action.
9. *The degree to which the action may adversely affect an endangered or threatened species or its habitat.* There are no known threatened or endangered species or their habitat affected by the Sub-alternative Iib.
10. *Whether an action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.* Sub-alternative IIIb does not threaten to violate any law. Sub-alternative Iib is in compliance with the Three Rivers RMP/ROD, which provides direction for the protection of the environment on public lands. Sub-alternative is also in compliance with the Oregon and National RODs (2010 and 2007).

On the basis of the information contained in the EA and all other information available to me, it is my determination that: 1) The implementation of Sub-alternative Iib will not have significant environmental impacts beyond those already addressed in the Three Rivers PRMP/FEIS (1991), National FEIS (2007) or the Oregon FEIS (2010); 2) Sub-alternative Iib is in conformance with Three Rivers RMP/ROD (1992), National ROD (2007) and the Oregon ROD (2010); 3) There would be no adverse societal or regional impacts and no adverse impacts to affected interests; and 4) The environmental effects, together with the proposed Project Design Features (against the tests of significance found at 40 CFR 1508.27 do not constitute a major Federal action having a significant effect on the human environment. Therefore, an EIS is not necessary and will not be prepared.



Three Rivers Resource Area Field Manager, Burns

7/2/12

Date